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Consolidated Fiscal Note

2021-2022 Legislative Session

SF694 - 0 - Minnesota Premium Security Plan; Benefit Year 2022

Chief Author: **Gary Dahms**
 Committee: **Commerce And Consumer Protection Finance And Policy**
 Date Completed: **2/14/2021 3:48:39 PM**
 Lead Agency: **Commerce Dept**
 Other Agencies:
 Human Services Dept MNSure

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
Commerce Dept						
Restrict Misc. Special Revenue	-	-	123,823	-	-	-
Federal Fund	-	-	-	-	-	-
Human Services Dept						
General Fund	-	-	-	113,673	-	-
Health Care Access	-	55,323	58,350	-	-	-
MNSure						
General Fund	-	2,628	2,497	-	-	-
MN Health Insurance Exchange	-	-	-	-	-	-
State Total						
Restrict Misc. Special Revenue	-	-	123,823	-	-	-
Federal Fund	-	-	-	-	-	-
General Fund	-	2,628	2,497	113,673	-	-
Health Care Access	-	55,323	58,350	-	-	-
MN Health Insurance Exchange	-	-	-	-	-	-
	Total	-	57,951	184,670	113,673	-
	Biennial Total		242,621		113,673	

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
Commerce Dept					
Restrict Misc. Special Revenue	-	-	-	-	-
Federal Fund	-	-	-	-	-
Human Services Dept					
General Fund	-	-	-	-	-
Health Care Access	-	-	-	-	-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
MNsure					
General Fund	-	-	-	-	-
MN Health Insurance Exchange	-	-	-	-	-
Total	-	-	-	-	-

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Christian Larson **Date:** 2/14/2021 3:48:39 PM
Phone: 651-284-6436 **Email:** christian.larson@lbo.leg.mn

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2	Biennium			Biennium	
Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
Commerce Dept					
Restrict Misc. Special Revenue	-	-	123,823	-	-
Federal Fund	-	-	-	-	-
Human Services Dept					
General Fund	-	-	-	113,673	-
Health Care Access	-	55,323	58,350	-	-
MNsure					
General Fund	-	2,628	2,497	-	-
MN Health Insurance Exchange	-	-	-	-	-
Total	-	57,951	184,670	113,673	-
Biennial Total			242,621		113,673
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Commerce Dept					
Restrict Misc. Special Revenue	-	-	123,823	-	-
Federal Fund	-	-	86,064	-	-
Human Services Dept					
General Fund	-	-	-	113,673	-
Health Care Access	-	55,323	58,350	-	-
MNsure					
General Fund	-	2,628	2,497	-	-
MN Health Insurance Exchange	-	(2,628)	(2,497)	-	-
Total	-	55,323	268,237	113,673	-
Biennial Total			323,560		113,673
2 - Revenues, Transfers In*					
Commerce Dept					
Restrict Misc. Special Revenue	-	-	-	-	-
Federal Fund	-	-	86,064	-	-
Human Services Dept					
General Fund	-	-	-	-	-
Health Care Access	-	-	-	-	-
MNsure					
General Fund	-	-	-	-	-
MN Health Insurance Exchange	-	(2,628)	(2,497)	-	-
Total	-	(2,628)	83,567	-	-
Biennial Total			80,939		-

Fiscal Note

2021-2022 Legislative Session

SF694 - 0 - Minnesota Premium Security Plan; Benefit Year 2022

Chief Author: **Gary Dahms**
 Committee: **Commerce And Consumer Protection Finance And Policy**
 Date Completed: **2/14/2021 3:48:39 PM**
 Agency: **Commerce Dept**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
Restrict Misc. Special Revenue	-	-	123,823	-	-	-
Federal Fund	-	-	-	-	-	-
Total	-	-	123,823	-	-	-
Biennial Total			123,823			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
Restrict Misc. Special Revenue	-	-	-	-	-
Federal Fund	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Christian Larson **Date:** 2/14/2021 3:40:46 PM
Phone: 651-284-6436 **Email:** christian.larson@lbo.leg.mn

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025	
Restrict Misc. Special Revenue	-	-	123,823	-	-	-
Federal Fund	-	-	-	-	-	-
Total	-	-	123,823	-	-	-
Biennial Total			123,823			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Restrict Misc. Special Revenue	-	-	123,823	-	-	-
Federal Fund	-	-	86,064	-	-	-
Total	-	-	209,887	-	-	-
Biennial Total			209,887			-
2 - Revenues, Transfers In*						
Restrict Misc. Special Revenue	-	-	-	-	-	-
Federal Fund	-	-	86,064	-	-	-
Total	-	-	86,064	-	-	-
Biennial Total			86,064			-

Bill Description

Senate File 694 extends the State's reinsurance program, the Minnesota Premium Security Plan (MPSP), through the 2022 plan year. Additionally, the bill also changes the year in which the Minnesota Comprehensive Health Association (MCHA) must return unexpended funds to the State for deposit in the Health Care Access Fund from June 30, 2023 to June 30, 2024.

Assumptions

Background:

The MPSP was created in 2017. Payments directed to the program are intended to reduce premiums for Minnesotans who buy their own insurance. MCHA is responsible for administering the program. The Commerce Department serves as the fiscal agent for state appropriations and federal payments directed to the program.

Expenditures for the program are for grants to MCHA for the operational and administrative costs of the program as well as reinsurance payments to health insurers for eligible expenses.

State resources available for the program included \$142 million in transfers from the General Fund and \$400.75 million in transfers from the Health Care Access Fund in FY2018-19. In addition, \$41.6 million in one-time funds were transferred from the previously existing balance at MCHA in FY2017-18.

The reinsurance program operates via a Section 1332 waiver approved by the federal government. The State's 1332 waiver was approved for a five-year period through December 31, 2022. Under the terms and conditions of the waiver, the State receives federal pass-through funds in the amount of premium tax credits that Minnesota residents would have been entitled to absent the waiver. Federal funding for the program is contingent upon state funds being available to cover the state's share of the reinsurance program in each plan year of operation.

Minnesota received \$130.7 million in federal funding for the MPSP for plan year 2018 and \$84.8 million for plan year 2019. The 2020 federal funding amount is \$86.1 million. An estimate of the 2021 federal funding amount is overdue but expected to be received in mid-to-late February 2021.

Assumptions:

This fiscal note contains assumptions consistent with those made by the agency in its fiscal note on SF761-2E from the previous biennium.

Commerce assumes the MPSP program operations will continue as currently structured. Commerce assumes the agency will continue in its existing role as fiscal agent for the State and Federal governments.

Commerce assumes that the MPSP payment parameters and methodology will remain consistent with previous plan years.

Commerce assumes reinsurance payments to eligible health insurers will continue to be made in one lump-sum payment in the calendar year following the applicable plan year.

Commerce assumes that reinsurance payments for the MPSP will grow by 10 percent each year of the program through 2022. This reflects a larger than average health care trend assumption associated with reinsurance-eligible claims.

Commerce assumes an additional upward adjustment for plan year 2021 recognizing experienced market enrollment growth in 2020.

Reflecting these assumptions, Commerce assumes the reinsurance program's size will be as follows through 2022:

Plan Year	Estimated Reinsurance Program Size (thousands)
2018	\$136,100
2019	\$149,700
2020	\$163,600
2021	\$190,400
2022	\$209,400

Commerce assumes that federal funding for the reinsurance program will remain at \$86.1 million for plan years 2021-2022. The federal government does not provide estimated future funding amounts and thus Commerce does not have reliable projections of federal funding for future program years. As noted earlier, the State expects to receive a preliminary estimate of the 2021 federal payment amount by mid-to-late February and expects to receive a final 2021 federal payment amount by the end of April 2021.

Commerce assumes no additional agency costs from this bill. The amended language establishes no new requirements for the agency and would not impose additional costs or necessitate additional staffing.

Expenditure and/or Revenue Formula

In 000's	FY22	FY23
Balance forward in	\$219,957	\$118,428
Federal pass-through payments	\$86,064	\$86,064
Interest income	\$3,294	
Total Resources	\$309,315	\$204,492
Reinsurance payments	\$190,887	\$209,887
Balance	\$118,428	(\$5,395)

Interest income in FY22 was estimated by MMB in the November forecast. Commerce has not included an interest income estimate for FY23 in this note.

MCHA expenditures include an assumption that MCHA's administrative budget will be \$487,000 in FY21-FY23.

Consistent with MMB's November forecast, Commerce assumes plan year 2021 reinsurance payments will be made in FY22. Commerce assumes plan year 2022 reinsurance payments will be made in FY23. The state costs shown on the front page of the Commerce fiscal note were determined by subtracting estimated federal pass-through payments listed above from total estimated MCHA expenditures.

Long-Term Fiscal Considerations

The estimates in this fiscal note reflect the State's November forecast. Commerce expects estimates and assumptions to change in the near future, based on updated federal funding estimates and preliminary plan year 2020 Q4 data produced by MCHA's actuarial committee which indicates that FY21 expenditures may grow by approximately \$2 million.

Local Fiscal Impact

References/Sources

Agency Contact:

Agency Fiscal Note Coordinator Signature: Amy Trumper

Phone: 651-539-1517

Date: 2/14/2021 3:12:05 PM

Email: amy.trumper@state.mn.us

Fiscal Note

2021-2022 Legislative Session

SF694 - 0 - Minnesota Premium Security Plan; Benefit Year 2022

Chief Author: **Gary Dahms**
 Committee: **Commerce And Consumer Protection Finance And Policy**
 Date Completed: **2/14/2021 3:48:39 PM**
 Agency: **Human Services Dept**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings) Dollars in Thousands	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	-	-	113,673	-
Health Care Access	-	55,323	58,350	-	-
Total	-	55,323	58,350	113,673	-
Biennial Total			113,673		113,673

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	-	-	-	-
Health Care Access	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Steve McDaniel **Date:** 2/14/2021 10:34:41 AM
Phone: 651-284-6437 **Email:** steve.mcdaniel@lbo.leg.mn

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025	
General Fund	-	-	-	113,673	-	-
Health Care Access	-	55,323	58,350	-	-	-
Total	-	55,323	58,350	113,673	-	-
	Biennial Total		113,673		113,673	
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund	-	-	-	113,673	-	-
Health Care Access	-	55,323	58,350	-	-	-
Total	-	55,323	58,350	113,673	-	-
	Biennial Total		113,673		113,673	
2 - Revenues, Transfers In*						
General Fund	-	-	-	-	-	-
Health Care Access	-	-	-	-	-	-
Total	-	-	-	-	-	-
	Biennial Total		-		-	-

Bill Description

Section 2 of this bill directs the Minnesota Comprehensive Health Association (MCHA) to administer the premium security plan through plan year 2022.

Assumptions

MinnesotaCare, the state’s Basic Health Program (BHP), receives federal funding equivalent to 95 percent of the premium tax credits that each BHP enrollee would have received through MNsure if the state did not operate a BHP. Premium tax credits are based on second lowest cost silver plan premiums available in the market. The 1332 waiver for the premium security plan was only partially approved by the Centers for Medicare and Medicaid Services (CMS). CMS did not approve the request to hold MinnesotaCare harmless from the reduction in individual market premiums. As a result, if the premium security plan is extended, MinnesotaCare would experience reduced federal BHP revenue due to the reduction in individual market premiums, including second low cost silver plan rates. This fiscal note reflects this projected reduction in federal BHP funding, which would need to be replaced with state funding.

An extension of the premium security plan is expected to reduce premiums in the individual market in plan year 2022. For purposes of projecting the reduction in federal BHP revenue, the November 2020 forecast assumes individual market premiums are 20 percent lower than they would have been in the absence of the premium security plan. Therefore, the fiscal analysis of extending the reinsurance program is based on this 20 percent assumption.

This will reduce federal funding amounts in the Basic Health Plan Trust Fund in fiscal year 2022. This shifts higher state cost to fiscal years 2022 and 2023.

The Health Care Access Fund (HCAF) is forecast to have a balance of \$335 million in fiscal year 2022 and \$170 million in fiscal year 2023. While the increased costs to MinnesotaCare do not exceed these balances, it does result in a smaller carrier forward balance at the end of fiscal year 2023. The current forecast reflects a statutory transfer of \$121,571 million in fiscal year 2024 that is contingent on an available balance in the HCAF. Therefore the increased spending in the HCAF will reduce this transfer in fiscal year 2024 and result in an increased cost to the general fund due to the reduced HCAF transfer and the increased MinnesotaCare costs.

Expenditure and/or Revenue Formula

	FY 2022	FY 2023	FY 2024
Reinsurance impact	55,323	58,350	-
HCAF Expenditures & Non General Fund Transfers	938,650	916,372	955,784
HCAF GF Transfer	122,000	122,000	7,898
HCAF Total Uses	1,115,973	1,096,722	963,682
HCAF Total Revenue	1,396,130	1,152,734	963,682
Revised HCAF Balance	280,157	56,012	0

Summary

Fiscal Tracking Summary (\$000's)						
Fund	BACT	Description	FY2022	FY2023	FY2024	FY2025
HCAF	31	MinnesotaCare Grants	55,323	58,350		
GF	31	Reduced HCAF Transfer to the General Fund			113,673	
		Total Net Fiscal Impact	55,323	58,350	113,673	
		Full Time Equivalents				

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

November 2020 Forecast
<https://www.cms.gov/CCIIO/Programs-and-Initiatives/State-Innovation-Waivers/Downloads/Approval-Letter-MN.pdf>,
 October 16, 2017

Agency Contact: Elyse Bailey, 651-431-2932

Agency Fiscal Note Coordinator Signature: Elyse Bailey

Phone: 651-431-2932

Date: 2/14/2021 9:38:24 AM

Email: elyse.bailey@state.mn.us

Fiscal Note

2021-2022 Legislative Session

SF694 - 0 - Minnesota Premium Security Plan; Benefit Year 2022

Chief Author: **Gary Dahms**
 Committee: **Commerce And Consumer Protection Finance And Policy**
 Date Completed: **2/14/2021 3:48:39 PM**
 Agency: **MNsure**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium	
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024
General Fund	-	2,628	2,497	-	-
MN Health Insurance Exchange	-	-	-	-	-
Total	-	2,628	2,497	-	-
Biennial Total			5,125		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	-	-	-	-
MN Health Insurance Exchange	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Adam Blom **Date:** 2/14/2021 9:57:33 AM
Phone: 651-284-6542 **Email:** adam.blom@lbo.leg.mn

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium		Biennium	
Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	2,628	2,497	-	-
MN Health Insurance Exchange	-	-	-	-	-
Total	-	2,628	2,497	-	-
Biennial Total			5,125		
1 - Expenditures, Absorbed Costs*, Transfers Out*					
General Fund	-	2,628	2,497	-	-
MN Health Insurance Exchange	-	(2,628)	(2,497)	-	-
Total	-	-	-	-	-
Biennial Total			-		
2 - Revenues, Transfers In*					
General Fund	-	-	-	-	-
MN Health Insurance Exchange	-	(2,628)	(2,497)	-	-
Total	-	(2,628)	(2,497)	-	-
Biennial Total			(5,125)		

Bill Description

This bill would extend the Minnesota Premium Security Plan, the reinsurance program administered by the Minnesota Comprehensive Health Association, through plan year 2022.

Assumptions

This bill would have no direct administrative effect on MNsure, as the reinsurance program is administered by the Minnesota Comprehensive Health Association.

For purposes of this fiscal note, MNsure has conformed its premium projections to those used by the Department of Human Services and the Department of Commerce. These projections include a 20% reduction to premiums caused by reinsurance and a year-over-year growth rate based on National Health Expenditure projections.

MNsure has assumed member months for participation within the exchange will remain constant with MNsure's annual lapse rate both with and without reinsurance. MNsure has not conducted a detailed analysis of market participation.

Reductions in premiums as a result of reinsurance reduce MNsure's premium withhold revenue. In order to absorb the reinsurance reductions in premium rates occurring in plan years 2018 and 2019, the first two years of the reinsurance program, MNsure spent down its carryforward balance. When the 2019 legislature extended reinsurance for an additional two plan years through December 2021, MNsure received a one-time \$8 million general fund appropriation to make up for expected revenue loss.

The Centers for Medicare and Medicaid Services (CMS) encourages state-based exchanges to build a reserve of 6-9 months of operating capital. MNsure will conclude FY22 with 40% of one month's operating capital in reserved balance. Therefore, MNsure is not able to absorb an additional year of reinsurance and the associated reduction in revenue to MNsure if reinsurance is extended.

Because MNsure cannot deficit spend, MNsure assumes the legislature will appropriate funding to make up for the deficit created by reinsurance in MNsure's budget. MNsure assumes this funding would be appropriated from the general fund.

The impact of the premium withhold revenue reductions that would result from this bill without a corresponding appropriation would put at risk MNSure's ability to effectively execute essential business, customer service, and outreach functions. Examples of this impact include but are not limited to:

- Reductions in staffing and support for the call center, significantly lengthening call wait times
- Reductions in manual operations staff, delaying the processing of life events and impacting MNSure's ability to keep customer accounts and information current
- Reductions in MNSure marketing, outreach, and assister support, limiting MNSure's ability to reach Minnesotans who would benefit from enrolling through the exchange
- Reductions in plan management staff, limiting MNSure's ability to interface with carriers and impacting MNSure's ability to produce accurate 1095A tax forms
- Reductions in eligibility and enrollment staff, impacting MNSure's ability to stay up to date in applying federal regulatory changes to MNSure operations
- Reductions in MNSure legal and compliance staff, such that MNSure would be unable to provide proper oversight of eligibility determinations and enrollment and renewals processes to ensure Minnesotans receive benefits for which they are eligible and that federal standards are properly applied
- Reductions in MNSure's financial and contracts staff, such that MNSure would see challenges in its ability to stay current on financial payments and billing and to execute contracts in a timely manner

Expenditure and/or Revenue Formula

	Member Months	Average Premium w/o Reinsurance	Withhold Percent	Withhold Revenue	Reinsurance-Adjusted Average Premium	Adjusted Withhold Revenue	Revenue Loss
EY 2021	1,262,381	\$546.00	3.50%	\$24,124,103.51	\$437.00	\$19,308,119.48	\$4,815,984.03
Jan-Jun21	647,310	\$546.00	3.50%	\$12,370,099.52	\$437.00	\$9,900,610.79	\$2,469,488.73
Jul-Dec21	615,071	\$546.00	3.50%	\$11,754,003.99	\$437.00	\$9,407,508.69	\$2,346,495.30
EY 2022	1,262,381	\$581.00	3.50%	\$25,670,520.41	\$465.00	\$20,545,252.99	\$5,125,267.41
Jan-Jun22	647,310	\$581.00	3.50%	\$13,163,054.62	\$465.00	\$10,534,974.87	\$2,628,079.75
Jul-Dec22	615,071	\$581.00	3.50%	\$12,507,465.78	\$465.00	\$10,010,278.12	\$2,497,187.66
EY 2023	1,262,381	\$619.00	3.50%	\$27,349,487.32	\$495.00	\$21,870,753.19	\$5,478,734.13
Jan-Jun23	647,310	\$619.00	3.50%	\$14,023,977.30	\$495.00	\$11,214,650.67	\$2,809,326.63
Jul-Dec23	615,071	\$619.00	3.50%	\$13,325,510.02	\$495.00	\$10,656,102.52	\$2,669,407.50

FISCAL YEAR TRANSLATION	Revenue Loss in Enrollment Year 2022
FY 2022	\$2,628,080
Jul-Dec21	\$0
Jan-Jun22	\$2,628,080

FY 2023	\$2,497,188
Jul-Dec22	\$2,497,188
Jan-Jun23	\$0
TOTAL	\$5,125,267

Long-Term Fiscal Considerations

None

Local Fiscal Impact

None

References/Sources

November 2020 Forecast

Agency Contact: Anna Burke (651-539-1332)

Agency Fiscal Note Coordinator Signature: Mubarek Abdi

Phone: 651-539-2231

Date: 2/13/2021 2:04:27 PM

Email: mubarek.abdi@state.mn.us